APPENDIX A – LIST OF *AMICI CURIAE*

International Human Rights Organizations:

Amnesty International is a worldwide human rights movement of more than 2.8 million members and supporters in more than 150 countries and territories. It works independently and impartially to promote respect for human rights. It monitors domestic law and practices in countries throughout the world for compliance with international human rights law and international humanitarian law and standards, and it works to prevent and end grave abuses of human rights and to demand justice for those whose rights have been violated. Amnesty International has previously appeared as amicus curiae in other cases involving the scope and application of the Alien Tort Statute, including *Filártiga v. Peña-Irala*, 630 F.2d 876 (2d Cir. 1980), as well as in cases before the United States Supreme Court.

The **Canadian Centre for International Justice** (CCIJ) is a non-governmental organization in Canada dedicated to supporting survivors of genocide, torture and other atrocities in their pursuit of justice and seeking accountability for those who commit such acts. The CCIJ advocates for the criminal and civil prosecutions of those responsible for serious human rights violations, including corporations. The CCIJ is involved in civil litigation in Canadian courts and other efforts to hold Canadian companies accountable when they are alleged to be complicit in human rights abuses.

The **Center for Constitutional Rights** (CCR) is a nonprofit legal and educational organization dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Since its founding in 1966 out of the civil rights movement, CCR has litigated many international human rights cases under the Alien Tort Statute (ATS), 28 U.S.C. § 1350, or served as amicus in ATS cases, including *Filártiga v. Peña-Irala*, 630 F.2d 876 (2d Cir. 1980), which established that the Alien Tort Statute grants federal courts jurisdiction to hear cases seeking compensation and other relief for violations of international law, *Wiwa v. Royal Dutch Petroleum Co.*, 226 F.3d 88 (2d Cir. 2000) and *Doe v. Unocal Corp.*, 395 F.3d 932 (9th Cir. 2002).

The **European Center for Constitutional and Human Rights** (ECCHR) is an independent, non-profit legal organization dedicated to protecting civil and human rights. ECCHR also works to ensure that transnational companies are held to account for their operations in third countries where their operations lead to or are complicit in gross human rights violations. ECCHR not only builds and files strategic litigation cases for human rights violations but also offers trainings for human rights organizations, lawyers and communities in countries of the global South, negatively affected by transnational corporations.

Global Witness is a non-governmental organisation established in 1993. Global Witness runs pioneering campaigns against natural resource-related conflict and corruption and associated environmental and

human rights abuses and was jointly nominated for the Nobel Peace Prize for its work on conflict diamonds in 2003. Global Witness' international campaigns operate at the nexus of development, the environment and trade. Global Witness seeks to end the impunity enjoyed by individuals and companies that profit from the illicit exploitation of natural resources and is constantly looking for ways to hold perpetrators of natural resource-related harm to account, including through litigation and advocating for legal reform where necessary.

Human Rights Watch is a non-profit, independent organization and the largest international human rights organization based in the United States. For over 30 years, Human Rights Watch has investigated and exposed human rights violations and challenged governments and private actors to protect the human rights of all persons. Human Rights Watch investigates allegations of human rights violations in the United States and over 80 countries throughout the world by interviewing victims and witnesses, gathering information from governmental and other sources, and issuing detailed reports. Where human rights violations have been found, Human Rights Watch advocates for the enforcement of those rights before government bodies, political leaders, tribunals, and in the court of public opinion.

The **International Association of Democratic Lawyers** (IADL) is a non-governmental Organization (NGO) with consultative status to ECOSOC and UNESCO. With members and member associations in 90 countries IADL lawyers work to promote human and peoples' rights. Since IADL's founding in 1946 in

Paris, IADL members have worked to promote human rights of groups and individuals and oppose threats to international peace and security. IADL lawyers have sought the development of international law, and international humanitarian law, and have opposed impunity for crimes and violations of the laws of nations. IADL lawyers supported litigation against the corporations which manufactured Agent Orange which was used in the Vietnam War.

The **International Commission of Jurists** (ICJ) is an international non-governmental organization dedicated to the promotion and observance of the rule of law and human rights. The ICJ was created in 1952 and is integrated by 60 well-known jurists representing different legal systems. It has its headquarters in Geneva, Switzerland, has three regional offices, and approximately 90 national sections and affiliated organizations throughout the globe. It enjoys consultative status before the United Nations Economic and Social Council, UNESCO, the Council of Europe and the Organizations of the African Union. It maintains cooperation ties with the Organization of American States. The ICJ also provides legal expertise in international law in the context of national and international litigation.

The **International Commission for Labor Rights** (ICLR) is a non-profit, non-governmental organization based in New York City, which coordinates the pro bono work of a global network of lawyers and jurists who specialize in labor and human rights law. ICLR's legal network also responds to urgent appeals for independent reporting on alleged labor rights violations, including violations by corporations. ICLR

has addressed this issue in various reports and amicus briefs. ICLR is therefore interested in ensuring that there is a proper assessment and understanding of liability of corporations for violations of the laws of nations.

The **International Federation for Human Rights** (FIDH) is a federation of 164 Human Rights Organizations in more than 100 countries. Founded in 1922, FIDH co-ordinates and supports its member-leagues activities at the local, regional and international level. FIDH aims at obtaining effective improvements in the prevention of human rights violations, the protection of victims, and the sanction of their perpetrators. With activities ranging from judicial enquiry, trial observation, research, advocacy and litigation, FIDH has developed strict and impartial procedures which are implemented by world-renowned independent human rights experts. For more than a decade, FIDH has been focusing on the effects of globalization on the full recognition of human rights, and particularly the impact of business activities on economic, social and cultural rights.

RAID is a research and advocacy not-for-profit organisation based in the United Kingdom. Since its foundation in 1997, RAID has conducted research into corporate accountability, human rights and extractive industries in developing countries. A particular focus of RAID's research is the Democratic Republic of Congo. RAID is a member of the Canadian Association against Impunity, an organisation that has filed a class action in Quebec against the Canadian company Anvil Mining Limited. It is alleged that the company, by providing logistical assistance, played a role in human rights

abuses, including the massacre by the Congolese military of more than 70 people in the Democratic Republic of Congo in 2004. RAID has made numerous submissions on corporate accountability issues to different parliamentary committees, the United Nations, the Organisation of Economic Cooperation and Development and other expert bodies.

Individuals:

Olivier De Schutter is Full Professor at the Catholic University of Louvain and the College of Europe (Natolin), and a visiting professor at Columbia University. Professor De Schutter has been specializing *inter alia* on the protection of social rights and on the impact of globalization on the enjoyment of human rights and has published widely on the subject, including *Transnational Corporations as Instruments of Human Development*, in Philip Alston & Mary Robinson (eds.), HUMAN RIGHTS AND DEVELOPMENT : TOWARDS MUTUAL REINFORCEMENT, Oxford Univ. Press, 2005, pp. 403-444; *The Accountability of Multinationals for Human Rights Violations in European Law*, in Philip Alston (ed.), NON-STATE ACTORS AND HUMAN RIGHTS, Collected Courses of the Academy of European Law, Oxford Univ. Press, 2005, pp. 227-314; *The liability of multinationals for human rights violations in European law*, in E. Brems & P. Vanden Heede (eds.), BEDRIJVEN EN MENSENRECHTEN. VERANTWOORDELIJKHEID EN AANSPRAKELIJKHEID, Antwerpen-Apeldoorn, Maklu, 2003, pp. 45-106.

Florian Jessberger is a Full Professor of criminal law and holds a chair in criminal law, international criminal law and modern legal history at the Faculty of Law of the University of Hamburg. He is a Managing Editor of the *Journal of International Criminal Law* (Oxford University Press) and a co-author and co-editor of leading handbooks in the field of international criminal law, including PRINCIPLES OF INTERNATIONAL CRIMINAL LAW, with Gerhard Werle, which translated into German, Spanish, Italian, Russian and Chinese, and the OXFORD COMPANION TO INTERNATIONAL CRIMINAL JUSTICE.